

1 BRIAN J. STRETCH (CABN 163973)
Acting United States Attorney

2 DAVID R. CALLAWAY (CABN 121782)
3 Chief, Criminal Division

4 MICHAEL MAFFEI (CABN 240978)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-7246
8 Fax: (415) 436-7027
Email: Michael.Maffei@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA)	CASE NO. CR 14-00651 TEH
)	
14 v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME FROM OTHERWISE
15 LUIS GONZALO CAUICH CARBAJAL,)	APPLICABLE SPEEDY TRIAL ACT
)	CALCULATION
16 Defendant.)	
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18 **STIPULATION**

19 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

20 1. The parties are currently scheduled for a change of plea on November 23, 2015 at 2:30
21 p.m.

22 2. The parties have diligently engaged in settlement discussions. The parties have reached a
23 tentative plea agreement but a few issues need to be resolved before a plea can be entered. Counsel are
24 hopeful that these issues will be resolved by December 7, 2015.

25 3. The parties now formalize their request for a continuance of this matter to December 7,
26 2015 at 2:30 p.m. for a further status conference, and respectfully submit and agree that the period from
27 November 23, 2015 through and including December 7, 2015 should be excluded from the otherwise
28 applicable Speedy Trial Act computation because the continuance is necessary for effective preparation

1 of counsel, taking into account the exercise of due diligence. Specifically, the time requested for
2 exclusion will allow defense counsel to review the forthcoming draft plea agreement with the defendant.

3 IT IS SO STIPULATED.

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5 DATED: November 18, 2015

BRIAN J. STRETCH
Acting United States Attorney

6
7 /s/
8 MICHAEL MAFFEI
Assistant United States Attorney

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10 DATED: November 18, 2015

11 /s/
12 GABRIELA BISCHOF
13 Counsel for the Defendant

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16 **~~PROPOSED~~ ORDER**

17 Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice
18 served by granting a continuance from November 23, 2015 through and including December 7, 2015
19 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such
20 a continuance would unreasonably deny the defendant the reasonable time necessary for effective
21 preparation, taking into account the exercise of due diligence.

22 Accordingly, THE COURT ORDERS THAT:

23 1. The parties shall appear before the Court on December 7, 2015 at 2:30 p.m. for a change
24 of plea or trial setting.

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1 2. The period from November 23, 2015 through and including December 7, 2015 is
2 excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C.
3 § 3161(h)(7)(A) & (B)(iv).

4 IT IS SO ORDERED.

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6 DATED: 11/19/2015


HON. THELTON E. HENDERSON
United States District Judge